THE HON'BLE SRI JUSTICE K.C.BHANU

W.P.No.10050 of 2007

Date 09-05-2007

Between:

S.Vittal & another.

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PETITIONERS

AND

The Greater Hyderabad Municipal Corporation rep. By its Commissioner, Tank Bund Road, Hyderabad and another.

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RESPONDENTS

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THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.10050 of 2007

O R D E R:

This writ petition is filed seeking a direction to respondents not to interfere with the petitioners' peaceful possession in Sy.No.7 of Plot No.194 situated at Hyderguda village, without following due process of law.

Learned counsel for the petitioners contended that though the regularization of the land in question is pending with the Revenue Department, the respondents are trying to evict the petitioners without following due process of law.

To enforce a fundamental right arises only where fundamental or any legal right of the petitioner has been affected by an order of the State or instrumentality of the State. No action contrary to law has yet been taken or proposed to be taken. Therefore, question of granting Mandamus to the petitioner does not arise.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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09-05-2007

Prv/Usd